



8-11-09

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<b>INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(e)</b>  Address to:  Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	UCSF-085CON5
	First Named Inventor	NADEL, JAY A.
	Application Number	10/816,159
	Confirmation No.	9049
	Filing Date	March 31, 2004
	Group Art Unit	1614
	Examiner Name	To Be Assigned
	Title:	<i>"PREVENTING AIRWAY MUCUS PRODUCTION BY ADMINISTRATION OF EGF-R ANTAGONISTS"</i>

Sir:

Applicants submit herewith patents and/or publications which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. While this Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication, or other information referred to therein is "prior art" for this invention unless specifically designated as such. A listing of patents and/or publications is shown on enclosed Form PTO-SB/08A and a copy of each patent and/or publication is also enclosed.

Each item of information contained in the Information Disclosure Statement filed herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement (37 C.F.R. 1.97(e)(1)). A copy of the communication is enclosed for the Examiner's convenience.

The Examiner is requested to make the citations listed on the enclosed PTO-SB/08A of record in this application. Applicants would appreciate the Examiner initialing and returning the initialed copy of form PTO-SB/08A, indicating the references have been considered and made of record herein.

No fee is believed due as this statement is being submitted within three months of the mailing date of the enclosed foreign communication. However, if it is determined that fees are required, the Commissioner is hereby authorized to charge any necessary fees associated with this communication or credit any overpayment to Deposit Account No. 50-0815, Order No. UCSF-085CON5.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

By:

Paula A. Borden, Reg. No. 42,344

Date: Aug. 9, 2004

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PTO/SB/08a (05-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
				<b>Application Number</b>	<b>10/816,159</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Filing Date</b>	<b>March 31, 2004</b>
				<b>First Named Inventor</b>	<b>NADEL, JAY A.</b>
				<b>Art Unit</b>	<b>1614</b>
				<b>Examiner Name</b>	<b>To Be Assigned</b>
<b>Sheet</b>	<b>1</b>	<b>of</b>	<b>2</b>	<b>Attorney Docket Number</b>	<b>UCSF-085CON5</b>

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
		US- 5,116,616		05-26-1992	Bio-Technology General Corp.	
		US- 5,760,041		06-02-1998	American Cyamid Company	
		US-				
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FOREIGN PATENT DOCUMENTS						
Examiner Initials'	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 96/09294 A1	03-28-1996	The Well-Come Foundation Limited		
		WO 92/18481	10-29-1992	Rhone-Poulenc Rorer International, Inc.		
		DE 4117078 A1	11-26-1992	Boehringer Ingelheim KG		X
		DE 1792207	11-04-1971	Fisons Pharmacetucials Ltd.		

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/816,159
				Filing Date	March 31, 2004
				First Named Inventor	NADEL, JAY A.
				Group Art Unit	1614
				Examiner Name	To Be Assigned
Sheet	2	of	2	Attorney Docket Number	UCSF-085CON5

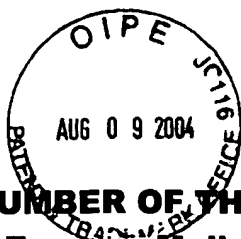
[illegible]

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DATE: August 9, 2004



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THE EXPRESS MAIL NUMBER OF THE DAY IS: EV462737675US

The person taking the Express Mail to the Post Office is: Stuart McLeish

**EXPRESS MAIL CERTIFICATION**

Date of Deposit: **08/09/2004** I hereby certify that the below-listed papers or fees were inserted into a package addressed to: Commissioner for Patents, PO BOX 1450, Alexandria, Virginia 22313-1450 and was deposited by me with the United States Postal Service "Express Mail Post Office Addressee" service under 37 C.F.R. § 1.10 on the date indicated above.

Signature

Date

8/9/04

Atty. Docket No.	Serial Number	Description	Atty.	Fee
AGIL-020	09/899,381	Transmittal <i>in duplicate</i> , Amendment, Terminal Disclaimer, IDS, Form 1449, cited reference (1)	BEF	\$290 Agilent pays
AGIL-015	09/398,399	Transmittal <i>in duplicate</i> , Amendment, Terminal Disclaimer, IDS, Form 1449, cited reference (1)	BEF	\$290 Agilent pays
UCSF-085CON3	10/359,982	IDS, Form 1449, cited references (8), copy of TR Search Report	PAB	
UCSF-085CON5	10/816,159	IDS, Form 1449, cited references (8), copy of TR Search Report	PAB	
UCSF-085CON4	10/359,932	IDS, Form 1449 (2 pgs.), cited references (8), copy of TR Search Report	PAB	
SPEN-003	10/331,171	Part B -fee transmittal for Issue Fee in Duplicate	BEF	\$965
UOMB-001DIV	10/609,385	Transmittal, fee trans <i>in duplicate</i> , Suppl. Prel. Amendment	CML	\$343
AGIL-194	10/037,757	Transmittal <i>in duplicate</i> , Amendment & Cert. of Seq. List., Terminal Disclaimer, IDS, Form 1449, cited references (7), Sequence Listing-paper, Sequence Listing-CRF (1 CD)	BEF	\$290 Agilent pays
SKEL-001CIP2	10/817,757	Transmittal, Fee Transmittal <i>in duplicate</i> , Copy of Notice to File Missing Parts, Supplemental ADS, Declaration Express Mail Label: EV462737675US	BEF	\$502